

The Georgia State Board of Pharmacy met on February 16, 2005 at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia.

Members Present:

- Eddie Madden, President
- Bill Prather, Vice-President
- Mickey Tatum
- Charles Palmer
- Fred Barber
- Robbie Dial
- Pat McPherson
- Judy Gardner

Staff Present:

- Janet Wray, Board Attorney
- Rick Allen, Deputy Director, Georgia Drugs and Narcotics Agency
- Sylvia L. Bond, Executive Director, Georgia Board of Pharmacy
- Ylice Crews, Administrative Assistant

Visitors Present:

- Al Gray, Pastor
- Bob Weinhold, Advocate
- Jim Bartling, Advocate
- Michael Bendinelli and Chuck Ellis with WellStar Health System

Mr. Madden established that a quorum was present, and called the meeting to order at 10:00 a.m.

Mr. Tatum moved, Mr. Palmer seconded, and the Board voted to enter into **EXECUTIVE SESSION** in accordance with O.C.G.A. §§43-1-19(h)(2) and 43-1-2(k) to review applications, deliberate on disciplinary matters, and to receive information on investigative reports. Voting in favor of the motion were those present who included Board Members Mr. Barber, Mr. Dial, Mrs. Gardner, Mr. Palmer, Mr. McPherson, and Mr. Prather.

At the conclusion of the EXECUTIVE SESSION, the Board declared an **Open Session** to vote on the matters discussed in Executive Session and to conduct other Board business.

APPOINTMENT (S)

- The Board met with Julius Williams and his pastor, Al Gray, to discuss possible reinstatement.
- The Board met with John Marzullo and his treatment advocate, Bob Weinhold, to discuss possible reinstatement.
- The Board met with Laurie Payton and her advocate, Jim Bartling, to discuss possible reinstatement.
- The Board met with Michael Bendinelli and Chuck Ellis of Wellstar Heath Systems to discuss unit-of-use packaging and product identification.

Julius Williams: Mr. Prather made a motion to deny Mr. Williams' request for reinstatement of his license. Mr. Barber seconded the motion and it carried unanimously.

John Marzullo: Mr. Tatum made a motion to approve Mr. Marzullo's request for reinstatement of his license. Mr. Dial seconded the motion and it carried unanimously.

Laurie Payton: Mr. Tatum made a motion to approve Mrs. Payton's request for reinstatement of her license. Mrs. Gardner seconded the motion and it carried unanimously.

Janet Wray, Attorney General's Office:

- A status report (as of February 16, 2005) on current cases was reviewed.

Bill Prather, Cognizant Board member reported on the following cases:

- GDNA #A05-04 and Private Interim Consent Order for T.M.

The following votes were made in reference to the Cognizant Member's report:

#A05-04: The cognizant member recommended scheduling an investigative interview with the pharmacist for failing to disclose his criminal charges on his renewal. In addition, this RPH has admitted to forging prescriptions and failing to report an impaired pharmacist. Mr. Tatum made a motion to approve the recommendation. Mr. Palmer seconded the motion and it carried unanimously.

T.M.: The cognizant member recommended accepting the signed Private Interim Consent Order. Mr. Tatum made a motion to approve the recommendation. Mr. Palmer seconded the motion and it carried unanimously.

Sandy Bond, Executive Director:

- Updated the Board on a presentation they had received from Target on their new color-coded prescription containers.
- Provided a copy of a letter from NABP ref: investigation on purchasing steroids via eBay.
- Requested that the Board review letter received from Ingle's ref: drive through pharmacies. The Board requested Mrs. Bond send Ingle's a letter with the Board's responses.
- Mrs. Bond introduced Katrina Martin, RN, Nurse Practice Consultant. Mrs. Martin asked the Board to review the policy concerning number of intern hours for applicants from Florida who wish to be licensed by examination and who are currently working as pharmacist in Florida. Mr. Palmer made a motion to accept the following:
 - An applicant, requesting a Georgia pharmacist license by examination that has a current, unencumbered pharmacist license in all other states where a pharmacist license is held and who has practiced as a pharmacist for a minimum of 1,500 hours may be considered as meeting the Georgia internship hour requirement. The applicant must have all other states where pharmacist licensure is held provide verification of licensure and have the employer provide verification of employment as a pharmacist supporting the practice requirements to satisfy the internship requirements.

Mr. Barber seconded the motion and it carried unanimously.

The Board voted for the following regarding submitted applications and requests:

Reinstatement Application from M.H.: Mr. Prather made a motion to refer to the Attorney General's Office for a hearing or private consent order for unlicensed practice. Mrs. Gardner seconded the motion and it carried unanimously.

Letter from W.M.T.: Mr. Tatum made a motion to approve W.M.T.'s request to meet with the Board to discuss possible reinstatement of his license. Mr. McPherson seconded the motion and it carried unanimously.

Letter from Charles M. Dooley, RPH017482: Mr. Palmer made a motion to approve Mr. Dooley's request to terminate his probation. Mr. Prather seconded the motion and it carried unanimously.

Letter from Samuel Kilgore, RPH009884: Mr. Prather made a motion to deny Mr. Kilgore's request to modify his consent order until such time that he can show proof that he is in compliance with his Consent Order. Mr. Barber seconded the motion and it carried unanimously.

Letter from Charles Grow, RPH015458: Mrs. Gardner made a motion to approve Mr. Grow's request to meet with the Board. Mr. Dial seconded the motion and it carried unanimously.

Letter from Michael Manos, RPH012598: Mr. Prather made a motion to approve Mr. Manos' request to lift supervised practice. Mr. Barber seconded the motion and it carried unanimously.

Newly Licensed Pharmacists/Pharmacy Interns: Mrs. Dial made a motion to ratify all newly licensed pharmacists/pharmacy interns. Mrs. Gardner seconded the motion and it carried unanimously. (Attachment 1)

Draft – January 26-27, 2005 Board Meeting Minutes and February 7, 2005 Teleconference Minutes Mr. Prather made a motion to approve the minutes as amended. Mrs. Gardner seconded the motion and it carried unanimously.

Listing of Administratively Approved Reinstatement Pharmacist Applications: Mr. Barber made a motion to approve the pharmacist applications, administratively approved by the Board staff. Mrs. Gardner seconded the motion and it carried unanimously. (Attachment 2)

Letter from Richard D'Souza ref: removal of Ranitidine from Dangerous Drug List: Mr. Prather made a motion to request representatives from Pfizer appear before the Board to discuss their request. Mr. Palmer seconded the motion and it carried unanimously.

Letter from Ultracare Medical Office Infusion Center: Mr. Barber moved to approve their request for waiver of requirements for pharmacy equipment per Rule 480-10-.12. Mr. Dial seconded the motion and it carried unanimously.

Approval to Post Rule 480-2-03(1)(c)(2), Experience Requirements, and 480-2-.04., Examinations: Mr. Palmer moved it is the Board's opinion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. § 26-4-27, 26-4-87, and 26-4-110 and that it is not legal or feasible to meet the objectives of O.C.G.A. 26-4-27, 26-4-28, 26-4-87, and 26-4-110 to adopt or implement differing actions for business as listed at O.C.G.A. § 50-13-4(3)(A),(B),(C) & (D). The Board also states that the formulation and adoption of this rule will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Pharmacy.

The Board moves to post the proposed amendment to Georgia Board of Pharmacy Rules and Regulations, Chapter 480-2-03(1)(c)(2), Experience Requirements. Amended and 480-2-.04, Examinations. Amended. The motion was seconded by Mr. McPherson and approved by the Board.

Letter from XCEL Pharmaceuticals requesting clarification on HB585, Sec. 3/Rule 480-7-.07, Credit for Returned, Expired Drugs: The Board reviewed their letter and approved sending a letter to XCEL stating no exceptions to the rule.

Rick Allen, Deputy Director, Georgia Drugs and Narcotics

Mr. Allen distributed copies of current bills pending in the House.

There being no further business to be discussed, the meeting was adjourned at 4:15 p.m.

Eddie Madden, President

**Mollie L. Fleeman, Division Director
Professional Licensing Boards Division**

**Minutes Prepared By: Ylice Crews, Administrative Assistant
Reviewed/Edited By: Sylvia L. Bond, Executive Director**